

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

STACKPOLE INT'L ENGINEERING, LTD.,

Plaintiff,

v.

Case No. 17-13748

ANGSTROM AUTOMOTIVE GROUP LLC,
and ANGSTROM PRECISION METALS LLC,

Defendants.

ORDER SUSPENDING BRIEFING

In this contract dispute regarding the supply of automotive parts Plaintiff alleges claims for breach of contract, breach of warranty, and claim and delivery (Dkt. # 1). Defendants filed a motion to dismiss (Dkt. # 11). Plaintiff filed a response (Dkt. # 13) and also a motion for partial summary judgment (Dkt. # 14). Upon reviewing the motions, the court is inclined to conclude that many, if not all, of the material facts are undisputed. During a status conference held on February 1, 2018, the court informed the parties that their dispute seems focused on the significance of particular facts as well as the proper interpretation of the contract and related documents, rather than on the existence of the facts and documents themselves.¹ The parties agreed. Consequently, they agreed to meet and confer for the purpose of developing a stipulated record of material facts. If the parties are successful, the court may consider a

¹ For example, the parties may agree as to the content of a particular meeting or communication while disagreeing as to whether the meeting or communication constituted notice of termination of the contract.

request to set a briefing schedule for the filing of cross-motions for judgment on the pleadings. Accordingly,

IT IS ORDERED that briefing on Defendants' motion to dismiss (Dkt. # 11) and Plaintiff's motion for partial summary judgment (Dkt. # 14) is SUSPENDED.

IT IS FURTHER ORDERED that the parties are DIRECTED to meet and confer to develop a stipulated record of material facts by **February 23, 2018** and to appear for a telephonic conference **on February 28, 2018 at 10:00 am. (The court will initiate the call)**

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 20, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 20, 2018, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522